

April 2, 2014

Honorable Dannel Malloy, Governor
Members of the Insurance and Real Estate Committee, CGA
Members of the Public Health Committee, CGA
State Capitol
Hartford, Connecticut 06106

ANNUAL EVALUATION 2013
Office of the Healthcare Advocate
Prepared by the Advisory Committee, Office of Healthcare Advocate
Statutory authority: CGS 38a-1049

Dear Governor Malloy and Members of the General Assembly:

Pursuant to Section 38a-1049 of the Connecticut General Statutes, the Advisory Committee to the Office of Healthcare Advocate is required to provide an annual evaluation of the effectiveness of the Office of Healthcare Advocate. This correspondence is intended to fulfill that mandate for calendar year 2013.

The Connecticut Office of Healthcare Advocate (OHA) was created in 1999 (originally named the Office of Managed Care Ombudsman) as part of “An Act Concerning Managed Care Accountability.” Since its inception, OHA has helped thousands of Connecticut residents receive the health care services they need and pay for, saving state consumers millions of dollars. Specifically in 2013 OHA staff fielded nearly 12,000 calls. OHA’s advocacy returned \$9.6 million in 2013 to the consumers of Connecticut. OHA has consistently proven to be one of the most cost effective agencies in the state.

Connecticut’s Office of Healthcare Advocate is a national leader in promoting and protecting the rights of consumers. OHA continues to be the model for other states that are looking to develop or expand their own healthcare advocate offices. Given the continuing and rapid changes in healthcare, we cannot overstate the importance of OHA to Connecticut, and the model it presents nationally.

In 2013 the leadership of the Healthcare Advocate and OHA staff achieved significant successes in assisting consumers to make informed decisions on selecting health care plans, defending consumer’s rights and assuring that consumers attained all the benefits due to them under their health insurance coverage. OHA assisted policy makers in identifying trends and providing data in regards to health care issues, and advocated for necessary legislative remedies to further protect Connecticut’s consumers. At a time of a rapidly changing health care insurance landscape OHA consistently has been in the lead in assisting consumers in navigating changes in health insurance and in providing staff leadership to both executive and legislative branches of government.

OHA has played a key role in 2013 on the state’s initial steps in preparation for full implementation of the federal Affordable Care Act, including the Healthcare Advocate’s

serving on the State Health Insurance Exchange Board and the Governor's Health Care Cabinet, where the staff of OHA provided staffing and support services.

Consumer Service, Protection and Advocacy: There is no other office in Connecticut state government that has a primary focus on assisting consumers with insurance related questions and problems with coverage. Referrals are received from numerous sources, including legislators, health care providers, community organizations, Insurance Department, hospitals, health plans and of course directly from consumers, many of whom had OHA recommended to them by a satisfied consumer of OHA's services. Inquiries and cases handled range from denial of care to explanation of coverage, to referral to sources of insurance coverage, to legal matters and educational cases. As previously noted, but worth repeating, OHA handled almost 12,000 calls and referrals in 2013.

Mental health cases made up the highest number of cases at 435. There were 320 dental cases. Other areas in which there were over 100 cases included in medical care, pharmacy, surgery, dental, orthopedic, and physical therapy. Consumer savings from these cases were over \$9.6 million in 2013. The vast majority of consumers who responded to a satisfaction survey rated OHA as being excellent.

Assistance to DCF and DSS: OHA continues its collaboration with the Department of Children and Families (DCF) regarding children and DCF Voluntary Services. OHA assists DCF in appealing denials of health care coverage by insurers for families entering DCF Voluntary Service Program. With a significant portion of children in voluntary services under private health plans, OHA has assured private plans are paying for the care they are responsible for and not shifting such costs onto DCF. Through December 2013, OHA saved the state and consumers \$3.3 million.

In 2012 OHA entered into collaboration with DSS to recover funds inappropriately spent by the Medicaid program on services that should have been paid under other health care coverage. OHA worked to correct multiple errors in submitted data and began submitting appeals to reclaim payments. By the end of CY 2013, OHA had approximately \$350,000 worth of appeals pending.

Legislative Work: OHA testified on numerous bills and assisted legislative offices in understanding the impact of legislation related to health care. OHA played a key role in negotiating provisions in P.A. 13-3 related to the establishment of a behavioral health task force and reviews of request for mental health and substance use services in commercial insurance plans. OHA also continued to advocate for legislation to improve transparency in healthcare pricing and quality and testified in support of the use of telemedicine to improve access to care. OHA successfully advocated for a requirement that all employers post OHA's posters in their workplaces to ensure that Connecticut residents can easily access its services. During the 2013 legislative session OHA appeared before the following committees: Insurance & Real Estate, Public Health, Appropriations, Human Services, and Children's.

Federal Involvement in ACA: Congressional offices continued to consult with OHA on the establishment of consumer assistance program grants under the Affordable Care Act. Upon passage of the ACA each state was awarded one grant for consumer assistance programs and with the support of congressional offices OHA received Connecticut's grant that added staffing dedicated to consumer assistance.

Under the ACA, all plans are required to include OHA's contact information on every denial of care issued. OHA conducted two television spot campaigns, in English and Spanish, leading to heavy volume of consumer inquiries regarding ACA and other health insurance matters. Other outreach efforts included radio spots, partnering with community organizations with a focus on underserved communities, provider educational forums, a brochure printed in twenty languages, including Braille, and webcasts on the Affordable Care Act.

OHA administered the Navigator and In-Person Assister Program on behalf of the CT Health Exchange, Access Health CT, and the Healthcare Advocate now sits as Vice-Chair of the CT Health Exchange Board, the co-chair of its Consumer Experience and Outreach Committee, and as a member of the Audit, Strategy and Finance Committees.

The following highlights many, though not all of the notable achievements and activities of the Office of Healthcare Advocate.

2013 Achievements and Activities:

- The Office served as a critical link directly from the experiences of consumers struggling to access health care directly to policymakers.
- The Office continues to be a trusted resource for lawmakers who regularly refer cases to OHA.
- The Office collaborated with dozens of community, consumer, professional and non-profit groups across the state to support consumer protection efforts and maximize resources.
- The Office is represented on multiple statutory health care advisory councils and task forces providing critical research and support to legislative policymakers and other state agencies.
- OHA represents consumer interests on the Health Care Exchange, (Access Health CT) Board that brings the perspective and interests of consumers to the Board's deliberations.
- The Healthcare Advocate is an appointee on the Governor's Health Care Cabinet and OHA staff provides staffing and support services for the Cabinet.
- OHA testified at numerous legislative public hearings as indicated above.
- OHA continued to be a resource for federal health care issues and consulted with members of the Connecticut Congressional delegation on various federal bills and regulatory issues.
- OHA engaged the Department of Insurance on behalf of consumers in regards to mental health parity and other mental health issues.

- OHA continues to expand its consumer assistance program under a grant from the U.S. Department of Health and Human Services through the Affordable Care Act.
- OHA conducted large scale media campaigns related to ACA and the services of OHA. These efforts resulted in a substantial increase in referrals to OHA.
- OHA continued to effectively utilize its website and social media to reach consumers about the services of the Office and provided easy to understand information that consumer's can read and download.
- OHA took over lead direction on the State Innovation Model Initiative (SIM), a major health reform initiative
- In 2010 statutory changes required for the first time that hospitals and managed care organizations report biennially on the community benefits programs they have in place. OHA collects IRS 990 tax forms from all entities
- OHA participates on the Council on Medical Assistance Program Oversight, the board of the Health Information Technology, the Healthcare Associated Infections Advisory Committee, and the Advisory Board for Healthcare Management and Insurance Studies at the UCONN School of Business.

Recommendations:

- OHA should continue legislative advocacy efforts to enhance insurance consumer protection.
- OHA should continue to educate consumers as to their rights and responsibilities under health insurance plans and to assist consumers in selecting an appropriate health plan and understanding the benefits and disadvantages associated with various health insurance products.
- OHA should continue to work with DCF and DSS to assure that clients of state services that have private insurance are receiving the full benefits from their insurer.
- OHA should remain fully staffed as an independent office.
- OHA should continue to be an active participant and play a significant role in implementation of the Affordable Care Act.
- OHA should continue to advocate for full compliance by insurers with the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008.
- The Health Care Advocate's compensation should be addressed to be commensurate with the multiple and major responsibilities of the position.

In conclusion, the effectiveness of the Office of Healthcare Advocate is best expressed by consumers who have directly benefited by the fine work of this office. Here is what consumers have said:

"This agency is the most professional & most willing to help agency I have ever had the pleasure of working with. I have recommended OHA to many people."

"I was greatly impressed by this service and grateful for the compassionate help I received. Much appreciation."

"Very pleased with the services you offer!!"

"Great overall service from OHA-CT from start to finish."

"I wanted you to know how grateful I am that the state of CT has an Office of the Healthcare Advocate to go to...."

"OHA is the best state agency I have ever worked with. Wonderful responsiveness and follow-up"

Thank your agency for all the good help they gave me.

"Grateful for your compassion at a difficult health juncture in my life. The agency's assistance helped rid the stress that can be debilitating in a crisis."

"I appreciated the expertise, perseverance & dedication of this office"

"Your office serves a valuable need for the community. I praise you for your fine services."

"Exceptional assistance during very trying period."

"OHA was very helpful & kind. Great agency."

"Excellent help - thanks so much! So important to healthcare consumers!!"

Respectfully submitted,

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